

REMARKS

Currently claims 1-21 are pending in the subject application. Sole independent claim 1 is amended per the in person interview conducted on March 23, 2007. Support for the amendment to claim 1 may be found in the specification as filed. See, for example, paragraphs [0038]-[0050].

Dependent claims 6, 12, 20, and 21 have been amended to provide proper antecedent basis.

To further expedite prosecution of this case, applicant submits terminal disclaimers herewith with respect to US Patent Nos. 6,634,363 and 6,299,633, pursuant to applicant's response of May 30, 2006.

Examiner Interview

Applicant and applicant's attorney are thankful to the Examiner for the time and effort spent on the in-person interview conducted on March 23, 2007. The participants of this interview included Examiner Matthews, Nena Bains (applicant), and Sanjay Bagade (applicant's counsel). During this interview, the parties discussed the Unger reference and Clinical Efficacy of Treatment of Patients with Nonspecific Pulmonary Diseases by using low-power laser irradiation and performing intrapulmonary drug administration (Provotorov et al., *Terapevticheski Arkhiv*, No. 12, Vol. 62, 1991, pp. 18-23, as disclosed in the information disclosure statement filed by applicant on May 30, 2006). The parties reached an agreement that the above amendment to sole independent claim 1 would overcome rejections based on these references. Applicant maintains their disagreement with the previously issued rejections and reserves the right to pursue the subsection matter of the claims (prior to the amendment made herein) in a continuing application.

Accordingly, in view the above, applicant believes that all outstanding issues are addressed and that the claims are in condition for allowance.

Applicant notes that the Interview Summary form PTOL-413 given to the applicant and applicant's counsel at the conclusion of the interview contained typographical errors. The Interview Summary was incorrectly labeled as 10/809,967 to Joshi et al. The correct information is 10/809,991 to Danek et al. Applicant is providing a copy of the Interview Summary herewith.

SUMMARY

In view of the above, each of the presently pending claims in this application is believed to be in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections and pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the appropriate fee and/or petition is not filed herewith and the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with this filing to Deposit Account No. 50-3973 referencing Attorney Docket No. ASTXNA00402. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. Bagade', is written over a horizontal line.

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Attachment:

1) Marked up Copy of Interview Summary PTOL-413 Dated March 24, 2007